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RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[*on the report of the Fifth Committee (A/53/485/Add.1)*]

53/214. Questions relating to the programme budget for the biennium 1998–1999

The General Assembly

I

REQUEST FOR A SUBVENTION TO THE UNITED NATIONS INSTITUTE FOR DISARMAMENT RESEARCH RESULTING FROM THE RECOMMENDATIONS OF THE BOARD OF TRUSTEES OF THE INSTITUTE ON THE WORK PROGRAMME OF THE INSTITUTE FOR 1999

Approves the recommendation for a subvention of 213,000 United States dollars from the regular budget of the United Nations to the United Nations Institute for Disarmament Research for 1999, on the understanding that no additional appropriation would be required under section 2B, Disarmament, of the programme budget for the biennium 1998–1999;

II

OFFICE ACCOMMODATION AT THE PALAIS WILSON

Takes note of the report of the Secretary-General on a cost-benefit analysis on the use of existing conference facilities at the Palais Wilson in Geneva;[1]

[1] A/53/302.

III

NET BUDGETING, INCLUDING ITS IMPACT ON THE FUNCTIONING OF THE ENTITIES CONCERNED

Takes note of the report of the Secretary-General on net budgeting, including its impact on the functioning of the entities concerned,[2] and endorses the observations made by the Chairman of the Advisory Committee on Administrative and Budgetary Questions before the Fifth Committee;[3]

IV

FIRST PERFORMANCE REPORT

Having considered the first performance report of the Secretary-General on the programme budget for the biennium 1998–1999[4] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[5]

1. *Reaffirms* the budgetary process as approved in its resolution 41/213 of 19 December 1986 and as reaffirmed in subsequent resolutions;

2. *Reaffirms also* its resolution 52/220 of 22 December 1997;

3. *Takes note* of the first performance report of the Secretary-General on the programme budget for the biennium 1998–1999[4] and the related report of the Advisory Committee on Administrative and Budgetary Questions;[5]

4. *Reaffirms* the requirement of all Member States to fulfil their financial obligations as set out in the Charter of the United Nations promptly and in full and without imposing conditions;

5. *Recognizes* the detrimental effect of the withholding of assessed contributions on the administrative and financial functioning of the United Nations;

6. *Approves* a net decrease of 48,200,900 dollars in the appropriations approved for the biennium 1998–1999 and a net decrease of 4,552,500 dollars in the estimates of income for the biennium 1998–1999, to be apportioned among expenditure and income sections as indicated in the report of the Secretary-General;

7. *Expresses concern* about the fact that a number of sections of the programme budget continue to reflect high levels of vacancy, which could have an impact on the full implementation of the programmes and activities mandated by the General Assembly;

8. *Reiterates* that the vacancy rate is a tool for budgetary calculations and should not be used to achieve budgetary savings;

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[2] A/53/410.

[3] See *Official Records of the General Assembly, Fifty-third Session, Fifth Committee*, 39th meeting (A/C.5/53/SR.39), and corrigendum.

[4] A/53/693.

[5] A/53/7/Add.8. For the final text, see *Official Records of the General Assembly, Fifty-third Session, Supplement No. 7*.

9. *Also reiterates* that a high vacancy rate hampers the delivery of mandated programmes and activities, and stresses that deliberate management decisions to keep a certain number of posts vacant makes the budget process less transparent and the management of staff resources more difficult;

10. *Reaffirms* that only the General Assembly has the authority to establish and abolish posts in the regular budget;

11. *Requests* the Secretary-General immediately to intensify recruitment efforts in order to reduce the number of vacancies, particularly in those areas where there are high vacancy rates;

12. *Decides* that the vacancy rate for posts in the Professional and higher categories should not be more than 5 per cent at the end of the biennium 1998–1999, and in this context requests the Secretary-General to take all the necessary steps to achieve this objective;

13. *Requests* the Secretary-General to enhance the Office of the President of the General Assembly by taking all the necessary steps to ensure the full implementation of paragraph 1B.10 of the report of the Secretary-General entitled "United Nations reform: measures and proposals",[6] as adopted by the General Assembly in its resolution 52/220, so as to provide transparency and accountability and thereby strengthen the ability of the President of the General Assembly effectively and efficiently to discharge the responsibilities of the Office as deemed appropriate;

14. *Decides* that the President of the General Assembly, consistent with the approved programme budget, should have full authority to use the funds provided in the budget for the Office, including hospitality and travel and any other requirements for the accomplishment of the official responsibilities;

15. *Notes* that paragraphs 74 to 80 of its resolution 52/220 defined the procedures to be followed in the proposed programme budget in dealing with activities related to country-specific special rapporteurs whose mandates had expired in 1997 and, as a consequence, there were no individual mandates for inclusion in the proposed programme budget for the biennium 1998–1999;

16. *Reaffirms* that, in accordance with the provisions of paragraph 79 of its resolution 52/220, no funds directly related to these non-mandated activities could be committed to them pending the consideration of the report on the relationship between the treatment of perennial activities and the use of the contingency fund, as requested in paragraph 78 of its resolution 52/220;

17. *Regrets* that the provisions of the decision contained in paragraph 79 of resolution 52/220 were not implemented, since the required report was not considered before 1998 activities related to country-specific special rapporteurs were implemented;

18. *Requests* the Secretary-General to improve the presentation of the budget performance reports by separately reflecting the impact of average vacancy rates on changes related to salaries and common staff costs for each budget section;

19. *Also requests* the Secretary-General to provide an explanation when average vacancy rates are higher than the level approved by the General Assembly;

20. *Reiterates* the need for the Secretary-General to ensure that resources are utilized strictly for the purposes approved by the General Assembly;

21. *Regrets* the tendency towards excessive use of consultants, in particular in areas where in-house expertise is available, and requests the Secretary-General to resort in future to the use of consultants only

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[6] A/52/303.

when in-house expertise is not available and in accordance with the existing rules and regulations and relevant resolutions;

22. *Reaffirms* that changes in mandated programmes and activities are the prerogative of the General Assembly;

V

CONSOLIDATION OF TECHNICAL SECRETARIAT SERVICING OF INTERGOVERNMENTAL BODIES

Takes note of the report of the Secretary-General,[7] and decides to revert to this question as appropriate in the context of the reform process;

VI

CONSTRUCTION OF ADDITIONAL CONFERENCE FACILITIES AT ADDIS ABABA AND BANGKOK

Takes note of the reports of the Secretary-General on the construction of conference facilities at Addis Ababa and Bangkok,[8] and endorses the recommendations of the Advisory Committee on Administrative and Budgetary Questions contained in paragraph 5 of its report;[9]

VII

INTEGRATED MANAGEMENT INFORMATION SYSTEM

Reaffirming its resolutions 43/217 of 21 December 1988 and 52/227 of 31 March 1998,

Having considered the tenth progress report of the Secretary-General,[10] as well as the report of the independent experts on the Integrated Management Information System project[11] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[12]

1. *Expresses serious concern* that the tenth progress report of the Secretary-General has not been submitted in full compliance with paragraph 13 of its resolution 52/227;

2. *Notes with concern* that the report of the Office of Internal Oversight Services requested in paragraph 11 of its resolution 52/227, which should have been taken into account in preparing the tenth progress report, has not been submitted;

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[7] A/53/452.

[8] A/52/579 and A/53/347.

[9] A/53/7/Add.5. For the final text, see *Official Records of the General Assembly, Fifty-third Session, Supplement No. 7.*

[10] A/53/573.

[11] A/53/662.

[12] A/53/7/Add.7. For the final text, see *Official Records of the General Assembly, Fifty-third Session, Supplement No. 7.*

3. *Requests* the Board of Auditors to review the status of implementation of the recommendations contained in its updated special audit of the Integrated Management Information System,[13] taking into account the provisions of General Assembly resolution 52/227;

4. *Also requests* the Board of Auditors to continue monitoring the activities related to the Integrated Management Information System project as part of its ongoing regular audits of the financial statements;

5. *Reiterates* the request contained in paragraph 16 of its resolution 52/227 that the Secretary-General ensure that adequate and qualified staff are assigned to the implementation and operation of the Integrated Management Information System at all duty stations;

6. *Requests* the Secretary-General to take all the necessary actions to ensure that the activities are performed with a maximum of efficiency and economy;

7. *Decides* to approve an additional appropriation of 3.3 million dollars;

8. *Decides also* to defer further consideration of the tenth progress report of the Secretary-General,[10] the report of the independent experts on the Integrated Management Information System project[11] and the related report of the Advisory Committee on Administrative and Budgetary Questions[12] until the resumed fifty-third session, and requests the Secretary-General to submit, through the Advisory Committee, an addendum to his report, taking into consideration the report of the Office of Internal Oversight Services;

VIII

CONDITIONS OF SERVICE AND COMPENSATION FOR OFFICIALS OTHER THAN SECRETARIAT OFFICIALS: MEMBERS OF THE INTERNATIONAL COURT OF JUSTICE, JUDGES OF THE INTERNATIONAL TRIBUNAL FOR THE PROSECUTION OF PERSONS RESPONSIBLE FOR SERIOUS VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW COMMITTED IN THE TERRITORY OF THE FORMER YUGOSLAVIA SINCE 1991 AND JUDGES OF THE INTERNATIONAL CRIMINAL TRIBUNAL FOR THE PROSECUTION OF PERSONS RESPONSIBLE FOR GENOCIDE AND OTHER SERIOUS VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW COMMITTED IN THE TERRITORY OF RWANDA AND RWANDAN CITIZENS RESPONSIBLE FOR GENOCIDE AND OTHER SUCH VIOLATIONS COMMITTED IN THE TERRITORY OF NEIGHBOURING STATES BETWEEN 1 JANUARY AND 31 DECEMBER 1994

Recalling its resolutions 37/240 of 21 December 1982, and the annex thereto containing the Travel and Subsistence Regulations of the International Court of Justice, 45/250 A to C of 21 December 1990 and 48/252 A to C of 26 May 1994 and section IV of its resolution 50/216 of 23 December 1995 on the emoluments, pensions and other conditions of service of the members of the International Court of Justice, as well as paragraphs 1 and 5 of its resolution 52/217 of 22 December 1997 on the financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, paragraphs 1 and 6 of its resolution 52/218 of 22 December 1997 on the financing of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994, and its resolution 52/220 on questions relating to the proposed programme budget for the biennium 1998–1999,

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[13] A/52/755, annex.

Having considered the relevant reports of the Secretary-General[14] and the related reports of the Advisory Committee on Administrative and Budgetary Questions,[15]

1. *Approves* the recommendations of the Advisory Committee on Administrative and Budgetary Questions on the emoluments, pensions and other conditions of service of members of the International Court of Justice;

2. *Concurs* with the observation made by the Advisory Committee in paragraph 21 of its report [16] regarding a revision to article 7, paragraph 2, of the Pension Scheme Regulations for Members of the International Court of Justice;

3. *Decides*, in this regard, to amend article 7, paragraph 2, of the Pension Scheme Regulations for Members of the International Court of Justice to read as follows:[17]

"Pensions in payment shall be automatically revised by the same percentage and at the same date as salary adjustments.";

4. *Approves* the recommendations of the Advisory Committee on the emoluments, pensions and other conditions of service of the judges of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 and the judges of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994;

5. *Also approves* the travel and subsistence regulations for the judges of the International Tribunal for the former Yugoslavia and the judges of the International Tribunal for Rwanda contained in annex III to the report of the Secretary-General;[18]

6. *Further approves* the pension scheme regulations for the judges of the International Tribunal for the former Yugoslavia and the pension scheme regulations for the judges of the International Tribunal for Rwanda contained in annexes IV and V, respectively, to the report of the Secretary-General, with consequential modifications resulting from the decisions taken by the General Assembly in the present resolution;

7. *Decides* that the emoluments, pensions, and other conditions of service for the members of the International Court of Justice, the judges of the International Tribunal for the former Yugoslavia and the judges of the International Tribunal for Rwanda shall be reviewed at its fifty-sixth session;

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[14] A/C.5/53/11 and A/52/520.

[15] A/52/696 and A/52/697; and A/51/7/Add.8 and A/53/7/Add.6. For the final text, see *Official Records of the General Assembly, Fifty-first Session, Supplement No. 7A*; and ibid., *Fifty-third Session, Supplement No. 7A*.

[16] A/53/7/Add.6. For the final text, see *Official Records of the General Assembly, Fifty-third Session, Supplement No. 7A*.

[17] For the text of the Regulations amended pursuant to resolutions 45/250 B and 48/252 B, see A/52/520, annex II.

[18] A/52/520.

IX

UNITED NATIONS POLITICAL OFFICE IN BOUGAINVILLE

Takes note of the estimate of 1,395,300 dollars under section 3, Peacekeeping operations and special missions, and 148,300 dollars under section 32, Staff assessment, of the programme budget for the biennium 1998–1999, on the understanding that such additional appropriations as may be necessary will be dealt with outside the procedures related to the contingency fund, as provided in annex I, paragraph 11, to General Assembly resolution 41/213;

X

CONTINGENCY FUND

Takes note of the report of the Secretary-General entitled "Contingency fund: consolidated statement of programme budget implications and revised estimates",[19] and notes that a balance of 15,307,800 dollars would remain in the contingency fund;

XI

RECOSTING OF OUTSTANDING STATEMENTS OF PROGRAMME BUDGET IMPLICATIONS AND REVISED ESTIMATES

Takes note of the report of the Secretary-General on the recosting of outstanding statements of programme budget implications and revised estimates,[20] and decides that the recosting and the related adjustments should be reflected in the revised appropriation for the biennium 1998–1999.

93rd plenary meeting
18 December 1998

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[19] A/C.5/53/48.

[20] A/C.5/53/49.